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U.S. PTO

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PTO/SB/05 (2/98)

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No. **UBAT1110**First Inventor or Application Identifier **Stephen F. Smith, et al.**Title **HYBRID SPREAD SPECTRUM RADIO SYSTEM**Express Mail Label No. **EV338102546US****APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

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1. Fee Transmittal for FY 2003
(Submit an original and a duplicate for fee processing)

2. Specification [Total Pages] **43**
(preferred arrangement set forth below)
 Descriptive Title of the Invention
 Cross References to Related Applications
 Background of the Invention
 Summary of the Invention
 Brief Description of the Drawings (if filed)
 Description of Preferred Embodiments
 References
 Claim(s)
 Abstract of the Disclosure

3. Drawing(s) (35 USC 113) [Total Sheets] **14**

4. Oath or Declaration [Total Pages]
a. Unexecuted (original or copy)
b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b)

5. Incorporation By Reference (useable if box 4b is checked).
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered to be part of the disclosure
of the accompanying application and is hereby
incorporated by reference therein.

6. Microfiche Computer Program (Appendix)

7. Nucleotide and Amino Acid Sequence Submission
(if applicable, all necessary)
a. Computer-Readable Copy
b. Paper Copy (identical to computer copy)
c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))

9. 37 CFR 3.73(b)
Statement
(when there is an assignee) Power of Attorney

10. English Translation Document (if applicable)

11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

12. Preliminary Amendment

13. Return Receipt Postcard

14. Small Entity Statement filed in prior application,
Status still proper and desired

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Other: **Certificate of Mailing**

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment

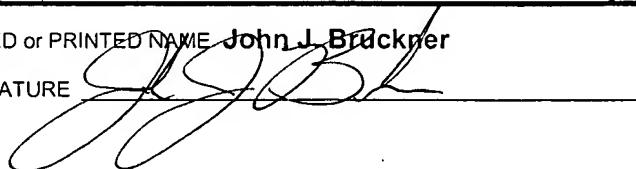
Continuation Divisional Continuation-In-Part (CIP) of prior Application No. _____

Prior application information: Examiner _____ Group / Art Unit _____

Claims the benefit of Provisional Application No. _____

CORRESPONDENCE ADDRESS:

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Customer No. :**25094**TYPED or PRINTED NAME **John J. Bruckner**REGISTRATION NO. **35,816**SIGNATURE DATE: **December 31, 2003**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2046.00)

Complete if Known

Application Number	Unknown
Filing Date	December 31, 2003
First Named Inventor	Stephen F. Smith, et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	UBAT1110

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
Deposit Account Number Deposit Account Name

The Commissioner is authorized to: (check all that apply)

Charge (fees) indicated below. Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1001	2001	375	Utility filing fee
1002	2002	165	Design filing fee
1003	2003	260	Plant filing fee
1004	2004	375	Reissue filing fee
1005	2005	80	Provisional filing fee
SUBTOTAL (1) (\$ 770.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	67	-20* = 47 X 18 =	846.00
Independent Claims	8	-3** = 5 X 86 =	430.00
Multiple Dependent		X =	

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee (\$)
1202	18	2202 9
1201	84	2201 42
1203	280	2203 140
1204	84	2204 42
1205	18	2205 9
SUBTOTAL (2) (\$ 1276.00)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

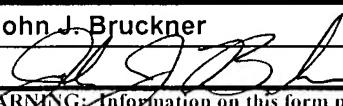
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	Fee (\$)
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for ex parte reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	110	2251 55	Extension for reply within first month
1252	410	2252 205	Extension for reply within second month
1253	930	2253 465	Extension for reply within third month
1254	1,450	2254 725	Extension for reply within fourth month
1255	1,970	2255 985	Extension for reply within fifth month
1401	320	2401 160	Notice of Appeal
1402	320	2402 160	Filing a brief in support of an appeal
1403	280	2403 140	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	110	2452 55	Petition to revive – unavoidable
1453	1,300	2453 650	Petition to revive – unintentional
1501	1,300	2501 650	Utility issue fee (or reissue)
1502	470	2502 235	Design issue fee
1503	630	2503 315	Plant issue fee
1460	130	1460 130	Petitions to the Commissioner
1807	50	1807 50	Processing fee under 37 CFR 1.17(q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801 375	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application
Other fee (specify) _____			

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	John J. Bruckner	Registration No. (Attorney/Agent)	35,816	Telephone	512-457-7233
Signature				Date	12/31/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
CERTIFICATE OF MAILING BY "EXPRESS MAIL"	
Atty Docket No. (Optional) UBAT1110	
Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	In the Application of: Stephen F. Smith, et al.
	Date Filed: December 31, 2003
	Title: HYBRID SPREAD SPECTRUM RADIO SYSTEM
	Sir:

I hereby certify that the attached Utility Patent Application Transmittal Form, Fee Transmittal, Utility Patent Application, fourteen (14) pages of Drawings and Postcard are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. **EV338102546US**, on **December 31, 2003** addressed to: **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Respectfully submitted,
Gray Cary Ware & Freidenrich LLP


 Laura M. McGuire